

MESSAGE NO: 6347303 MESSAGE DATE: 12/12/2016

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 81 FR 83201 FR CITE DATE: 11/21/2016

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: 11/21/2016 COURT CASE #:

PERIOD OF REVIEW: 12/01/2014 TO 11/30/2015

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Rescission of administrative review in part of antidumping duty order on cased pencils from the People's Republic of China (A -570-827)

1. Commerce has rescinded the administrative review of the antidumping duty order on cased pencils from the People's Republic of China (PRC) (A-570-827) covering the period 12/01/2014 through 11/30/2015 in part with respect to the firms listed below. One of these firms was also subject to a new shipper review covering six months of the administrative review period. Accordingly, you are to assess antidumping duties on this merchandise entered, or withdrawn from warehouse, for consumption during the respective periods identified below for each company at the cash deposit or bonding rate required at the time of entry.

Liquidate all entries for the following firms:

Orient International Holding Shanghai Foreign Trade Co., Ltd. (SFTC)

Period: 12/01/2014 through 11/30/2015

Case number: A-570-827-002

Exporter: Wah Yuen Stationery Co. Ltd.

Producer: Shandong Wah Yuen Stationery Co. Ltd.

Period: 06/01/2015 through 11/30/2015

No case number was in place for this exporter/producer combination during the period of review.

Entries may have been made under A-570-827-000 or other company case numbers.

2. On 10/27/2016, Commerce published the final results of antidumping duty new shipper review on certain cased pencils from the People's Republic of China (81 FR 74764) covering the exporter/producer combination listed below for the period 12/01/2014 through 05/31/2015:

Exporter: Wah Yuen Stationery Co. Ltd.

Producer: Shandong Wah Yuen Stationery Co. Ltd. (Wah Yuen Stationery Co. Ltd. and Shandong Wah Yuen Stationery Co. Ltd. are affiliated with Tianjin Tonghe Stationery Industrial Co. Ltd. which is also known as Tianjin Tonghe Stationery Co. Ltd. However, Tianjin Tonghe Stationery Industrial Co. Ltd. is not part of the exporter/producer combination.)

Entries of merchandise produced and exported by the chain rate above should not be liquidated for the period 12/01/2014 through 05/31/2015 until specific instructions are issued.

3. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the notice of preliminary results and rescission in part of administrative review (81 FR 83201, 11/21/2016). Unless instructed otherwise, for all other shipments of cased pencils from the PRC you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

4. There are no injunctions applicable to the entries covered by this instruction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI: MJK)

8. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party